

AMENDMENTS TO THE DRAWINGS

Applicant has submitted a replacement sheet for Figures 8 and 9 (drawing sheet 7/7), adding a second O-ring (80) to Figure 8. No new matter has been added, as support can be found in the specification of page 9, lines 7-9. Allowance of the drawings is respectfully requested.

REMARKS

Provisional Rejection

Claims 34 and 35 were provisionally rejected as being unpatentable over claims 3 and 4 of copending application, serial no. 11/181,015 ('015 application) in view of Moody, U.S. Pat. No. 661,352. Claim 36 was provisionally rejected as being unpatentable over claims 3 and 4 of the '015 application in view of Moody and further in view of Magnani, U.S. Pat. No. 2,829,909. The present application was filed on 11 July 2003, while the '015 application was filed on 13 July 2005. The current application and the '015 application have the same inventive entity, and both applications claim priority to the same parent application, U.S. Serial No. 09/842,351. Thus, the '015 application does not constitute prior art according to 35 U.S.C. §§ 102, 103, as it was a later filed application and, also, was not filed by a person other than the inventor of the present invention. The combination of the '015 application is improper and removal of the provisional rejection of claims 34 – 36 is respectfully requested

Rejections – 35 U.S.C. § 112

Claims 31-33 were rejected under 35 U.S.C. § 112 ¶ 1 as failing to comply with the enablement requirement. Specifically, the Examiner states that figure 8 does not show the claimed collet. Applicant respectfully disagrees and requests that the rejection be removed. Page 9, lines 18 – 24 states that a collet having a tapered inner surface with internal threads as shown in Figures 1-5 can replace the O-ring in Figure 8. Claims 31-33 are supported by the specification and removal of the rejection under 35 U.S.C. § 112 ¶ 1 is respectfully requested.

Drawings

The drawings were objected to under 37 CFR 1.83(a) for failing to show every feature of the invention claimed. Specifically, the Examiner has stated that a plurality of O-rings, which is claimed in claim 36, is not shown in the drawings. Applicant has added a second O-ring to Figure 8, which is supported by the specification on page 9, lines 7-9, and has submitted a replacement drawing of Figure 8. No new matter has been added in this amendment. Allowance of the drawings and of claim 36 is respectfully requested.

Rejection - 35 U.S.C. § 103

Claims 34 and 35 were rejected as being unpatentable over over Bell, et al., U.S. Pat. No. 5,282,454 in view of Moody, U.S. Pat. No. 661,352. Claim 36 was rejected as being unpatentable

over Bell, et al., U.S. Pat. NO. 5,282,454 in view of Moody and further in view of Magnani, U.S. Pat. No. 2,829,909. Applicant has amended independent claim 34, from which claims 35 and 36 depend, to state that the collet is “releasably attachable” and “hand tightenable”. Moody does not show such a connection, as Moody is shown and designed to securely connect broken water pipes back together. Moody describes an arrangement that provides for a connection that is designed to prevent fluid leakage when the pipes are fitted with one-another (see Moody, lines 57-62). The present invention allows for the user to “simply tighten the collet ... during normal use.” (see page 6, lines 6-10). This allows the present invention to be released and reattached as necessary, as would be done when using a paintball gun when a supply of ammunition is depleted. Moody does not teach such a releasable/reattachable arrangement, as the purpose of Moody is to provide a permanent repair for damaged pipes that will prevent fluid leakage, and not an arrangement that will allow repetitive tightening/loosening of the connection. Accordingly, the combination of Bell and Moody does not obviate currently amend claim 34, and allowance is respectfully requested. Magnani also does not show such an arrangement, either, as it does not show a releasably attachable collet. It would not be obvious to combine Bell, et al. with Moody and/or Magnani to arrive at claims 34-36, and allowance is respectfully requested.

Conclusion

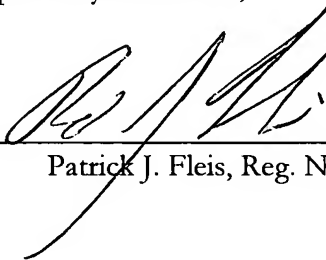
Applicant has noted in the specification the support for claims 31-33 and has overcome the rejection under 35 U.S.C. § 112. Applicant also has noted that the '015 application is not prior art and the obvious rejection using the '015 application should be removed.

Applicant has amended independent claim 34 to patentably distinguish the present invention from the prior art. Specifically, the prior art does not show a releasably attachable collet as is shown and described in the prior art. Applicant also has amended Figure 8 to show a second O-ring, which is supported by the specification. Allowance of claims 31-36 is respectfully requested.

Applicant has also included a copy of a Power of Attorney giving Ryan Kromholz & Manion, S.C. power to prosecute this case. Please note that the attorney's docket number has changed from 4239-00009 to 7112.19969-DIV. Applicant believes the application is now in condition for allowance, and allowance is respectfully requested. If there are any further matters, Applicant requests that the Examiner contact the undersigned.

Respectfully Submitted,

By



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Enclosures: Amendment Transmittal
Replacement Drawing Sheet
Copy of Power of Attorney